

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING BOARD
116 Hampton Road
Southampton, NY 11968

Phone: (631) 287-5735
Fax: (631) 287-5706



ANNA THRONE-HOLST
TOWN SUPERVISOR

CHAIR
DENNIS FINNERTY

VICE CHAIRPERSON
JOHN J. BLANEY

SECRETARY
LAWRENCE TOLER

BOARD MEMBERS
WILLIAM BERKOSKI, JR. JACQUI LOFARO
GEORGE SKIDMORE JOHN ZUCCARELLI

SITE PLAN/SPECIAL EXCEPTION APPLICATION FORM

This application form is required as part of any request to process the action listed below. In addition, Chapter 330 of the Town of Southampton Code requires specific material to be submitted in conjunction with this form. Other required items are indicated on the attached application checklist. It is the applicant's responsibility to insure that application package is complete and accurate. Incomplete applications will not be processed.

1. All applications must be completed in full and comply with §330 of the Town Code. Incomplete application packages will not be accepted.
2. These instructions and the application form shall be read carefully and understood before completing. Any questions should be referred to the Planning Division.
3. As per § 330-183 of the Zoning Law, a complete **Site Plan** application shall consist of the following (check those appropriate, write NA where not applicable).

☒ Application form and copies in appropriate numbers (a minimum of fifteen copies and additional copies if necessary)

☒ Appropriate Site Plan review fee (See § 330-183B)

___ Area to be improved is less than 500 sq. ft.: **\$1,000.00**

___ Area to be improved is greater than or equal to 500 sq. ft.
and less than 10,000 sq. ft.: **\$2,000.00**

___ Area to be improved is greater than or equal to 10,000 sq. ft.:
\$0.20 per Sq. Ft. not to exceed \$15,000.00

☒ Site Plans, in appropriate quantity (a minimum of fifteen copies and additional copies if necessary) complying with minimum submission requirements listed in §330-183-C. The site plan may include landscape/grading plans, lighting plans, drainage plans, architectural building elevations and floor plans.

☒ Appropriate Environmental Assessment Form (EAF, if necessary. Check Chapter 157 of the Town Code and with the Planning Department).

4. A complete **Special Exception** application shall consist of the four items (a-d) mentioned in number 3 above, plus the following (check those appropriate, write NA where not applicable).

☒ Legal petition, signed and notarized, explaining in detail how the proposed project will comply with Special Exception Standards.

☒ Fee of **\$1,000.00** (plus **\$300.00** for special conditions and safeguards) (separate from review fee)

①

5. A minimum of fifteen sets of applications and plans are required. Additional copies of the application (SP and/or SE) and site plan may be necessary, if the following conditions are met:

☐ 2- Wetlands Permit required (See Chapter 325 of Southampton Town Code)
☐ 1- Project fronts a County Road
☐ 3 - Project fronts a State Road
☒ 1 - Special Exception Permit
☐ 1 - Project located in Pine Barrens compatible growth area or core area

1 Total Copies

6. Application is hereby made to the Southampton Town Board for a Construction Permit for buildings and other structures customarily accessory and incidental to agricultural production as defined by Section 301 of the New York State Agricultural and Markets Law and in accordance with the provisions of the Zoning Law of the Town of Southampton Article X Agricultural Overlay District, Section 330-50 Farmlands Preservation Program.

Further, nine (9) copies of the following are submitted herewith (check those appropriate, write NA where not applicable).

☒ A copy of the approved subdivision map defining the grant easement (agricultural reserve) and the location of the proposed construction, if applicable.

☒ A copy of the recorded grant easement (agricultural reserve) or development rights indenture

☒ A copy of the Planning Board resolution approving the subdivision plan and other covenants, if applicable.

☒ A site plan, at a scale of no less than one (1) inch equals forty (40) feet, prepared by an architect, civil engineer, or surveyor, and consisting of the following information unless waived by the Farmland Permit Administrator.

☒ Agricultural Construction Permit Application Fee
\$1,000.00

7. A Fee Schedule is included in this package.

PLEASE NOTE: ALL NEW APPLICATIONS MUST GO TO THE ENGINEERING DIVISION FOR THE PAYMENT OF ENGINEERING FEES PRIOR TO SUBMITTING YOUR APPLICATION TO PLANNING.

PLEASE NOTE: If the site was subject of a previous site plan approval then new site plans may be necessary for the Special Exception request, however, the required number of as built surveys and petitions are still required.

Application Name: CAMP FARRELL, LLC

SCTM No.: 0900-104-1-23.8

Property Address: HALSEY NECK LANE, BRIDGEHAMPTON

I. General Information

(a) Applicant's Name: CAMP FARRELL, LLC

Address: P.O. Box 14, BRIDGEHAMPTON, NY 11932

Phone No.: 631-537-1068

(b) Name of Business (Existing or Proposed): CAMP FARRELL, LLC

Address: P.O. Box 14, BRIDGEHAMPTON, NY 11932

(c) If the applicant is a corporation, give the name and title of the responsible officer:

Name: JOSEPH FARRELL Title: MANAGER

(d) Landowner's Name: CAMP FARRELL, LLC

Address: P.O. Box 14, BRIDGEHAMPTON, NY 11932

(e) Licensed Architect, Landscape Architect, Civil Engineer or Land Surveyor

Name: MCDONOUGH & CONROY, P.C. License No. _____

3760 EXPRESSWAY DR. SO. SUITE 200

Address: ISLANDIA, NY 11749 Telephone No. (631) 491-6400

(f) If the applicant does not own the property, prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land.

(g) All communications with regard to this subdivision shall be addressed to the following person until further notice:

BRUCE A. ANDERSON

Name: SUFFOLK ENVIRONMENTAL CONSULTING, INC.

P.O. Box 2003

Address: BRIDGEHAMPTON, NY 11932

Phone No: (631) 537-5160

II. Proposed Site

- a. General location of Property WEST
(north/west/south/east)
of HALSEY ROAD, approx 1240
(street or road) (~~feet~~)(north/east/south/west)
of PAULS LANE, in BRIDGEHAMPTON.
(nearest interesting street) (hamlet)
- b. Total area under consideration: 375,634 sq. ft. or
8.63 acres.
- c. Zoning District(s): R-80
Zoning Districts of adjoining Properties: R-80
- d. Zoning Overlay(s) (Please check all that apply)
i. Agricultural* ☒
ii. Aquifer Protection ☐
iii. Tidal Flood Plain ☐
iv. Tidal Wetland & Ocean Beach ☐
v. Old Filed Map ☐
vi. Archaeological* (NYS Circles and Squares map) ☐
*Include a survey showing the location of Class I and II prime agricultural soils
- e. Latest Deed(s) describing this parcel(s) is/are recorded in the Suffolk County Clerk's Office as Follows:

DATE: 7/30/2007 LIBER: D00012511 PAGE: 976

- f. Are there any encumbrances or liens against this land other than mortgages? Yes ☒ No

g. Description of Project:

In the space below, please provide a description of the project, the proposed use and operation thereof, including a detailed explanation of the design concept, the objective of the project sponsor and how the project is or is not in compliance with the Town Code. Additional sheets may be added if necessary

APPLICANT PROPOSES TO CONSTRUCT A 4410 S.F.
HORSE BARN AND RELATED SUPPORT FACILITIES
TO RAISE 7 HORSES.

III. Characteristics of Site and Surrounding lands

- a. Current land use of site (agricultural, commercial, undeveloped)

AGRICULTURAL

- b. Current conditions of site (building, brush, etc.)

FARM FIELD

- c. Character of surrounding lands (within 200 feet) (residential, commercial, agriculture, wetlands, etc)

RESIDENTIAL AND AGRICULTURAL

IV. Nature of Use (i.e. retail, office, warehouse): FARM

IV. Nature of construction:

- a. Anticipated construction time: 4 MONTHS

- b. Will Development be staged? YES: NO: ✓

V. Impact:

- a. Anticipated increase in number of residents, shoppers, employees, etc.

1

VI. Zoning:

- a. Has an application been made to the Zoning Board of Appeals for this property? YES: _____ NO: ✓

If yes, please list the name of application and date of determination.

- b. Is a Change of Zone requested at this time?
YES: _____ NO: ✓

VII. Buildings:

- a. Are all buildings and structures shown on the survey?
YES: ✓ NO: _____

- b. Existing Building Area Coverage:
Square Feet: 0 Percent Lot: 0

- c. Proposed Building Area Coverage:
Square Feet: 4410 Percent Lot: 0.12 %

- d. Height of Proposed Buildings:
Feet: 25' 10" Stories: 2

- e. Residential Buildings: Number of Dwelling Units by Size
N/A

- f. Non-Residential Buildings: Total Floor area and Total Sales area
8820 ± S. F.

- g. Is a cellar proposed?
YES: _____ NO: ✓

h. Proposed siding material: WHITE CEDAR SHINGLES
Roofing material: CEDAR
Construction Type: FRAME

i. Are fire-walls proposed or necessary?
YES: _____ NO: ✓

j. Standard Industrial Classification Code Number:
~~00~~ N/A (HORSE FARM)
(as identified in the Table of Use Regulations listed in the Town Code)

VIII. Utilities

The site will be served by the following utilities:

Fire District BRIDGEHAMPTON

Water District or Company SUFFOLK COUNTY WATER AUTHORITY

Electric and/or Gas Company LIPA

Post Office BRIDGEHAMPTON

School District BRIDGEHAMPTON

IX. Signs

a. Are there any existing free-standing or attached signs?
YES: _____ NO: ✓ (all signs must be indicated on site plan.)

b. Have sign permits been obtained for all existing signs?
YES: _____ NO: ✓

c. Are free-standing or attached signs proposed?
YES: _____ NO: ✓

****Plans indicating location, size, colors and materials of all proposed signs must be submitted with the site plan application. A Sign Permit from the Building Department must be obtained for all signs.**

X. Parking

- a. Number of off-street parking spaces required as calculated using the Schedule of Off-Street Parking Space Requirements for Non-Residential Uses, listed in Section 330-94 of the Town Code: N/A
- b. Number of existing parking spaces: 0
- c. Number of handicap parking spaces provided (must be at least 5% of total parking spaces provided.): N/A
- d. Number of truck loading spaces: N/A
- e. Is a parking waiver requested?
YES: _____ NO: ✓

If yes, for how many spaces? N/A

Note: a formal letter requested waiver must be submitted separately along with this application.

XI. State Environmental Quality Review Act (SEQR)
(Pursuant to Part 617, NYCRR and Chapter 157 of Town Code)

- a. Do any tidal or freshwater wetlands occur on the subject site?
YES: _____ NO: ✓
- b. Are the wetlands and/or the proposed activity regulated by the following agencies?

New York State Department of Environmental Conservation:

YES: _____ NO: ✓

U.S. Army Corps of Engineers:

YES: _____ NO: ✓

Southampton Town Conservation Board:

YES: _____ NO: ✓

Southampton Town Trustees:

YES: _____ NO: ✓

c. Has a permit been obtained from any of the above agencies?

YES: _____ NO: ✓

If yes, which ones? _____

d. Is the site located in a designated critical environmental area?

YES: _____ NO: ✓

If yes, which ones? _____

e. Is the proposed action a Type I, Type II, or unlisted action? TYPE II

Note: Part I of an Environmental Assessment Long Form must be submitted for all Type I and Unlisted Actions.

PLEASE SUBMIT 15 COPIES OF APPLICATION AND PLANS.

*Note: A minimum of 15 copies is required. Additional copies may be necessary.

I hereby depose and certify that all the above statements and information, and all statements and information contained in the supporting documents and drawings attached hereto and true and correct.

BRUCE ANDERSON
SUFFOLK ENV. CON. INC.

Applicant's Name

[Signature]

Applicant's Signature

Sworn before me this 1ST day of JUNE 2011

[Signature]
Notary Public

Matthew D. Ivans
Notary Public of New York
No. 011V6053859
Qualified in Suffolk County
Commission Expires January 22, 2014

Please note: If ownership is held jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement. If the owner or owners are making the application, this endorsement is not required.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

JOSEPH FARRELL, being duly sworn, deposes and says:

I am: (check one) ☐ a part owner in fee
☐ the sole owner in fee
☒ an officer of the corporation which is the owner in fee
of the premises described in the foregoing application.

I reside at MAIN STREET
Mailing Address

BRIDGEHAMPTON, N.Y. 11932
Hamlet/Post Office/Village State Zip Code

I have authorized SUFFOLK ENVIRONMENTAL CONSULTING, INC.
to make the foregoing application to the Southampton Town Planning Board for
subdivision approval as described herein.

Joseph D Farrell Jr
Signature

(If owner is a corporation, please
indicate name of corporation and the
title of the corporate officer whose
signature appears above)

Sworn before me this
1 day of JUNE, 2011
Jaclyn M Fansler
Notary Public

Jaclyn M Fansler
Notary Public, State of New York
No. 01FA6232334
Qualified in Suffolk County
Commission Expires December 6, 2014

TOWN OF SOUTHAMPTON
OPEN GOVERNMENT DISCLOSURE FORM
(Zoning Board of Appeals, Planning Board, Conservation Board)

State of New York
County of Suffolk

JOSEPH FARRELL being by me duly sworn, deposes and says:

1. I am an applicant for a project or an owner of the land which is the subject of a pending application before the Southampton PLANNING Board.
2. The project name is: CAMP FARRELL, L.L.C.
3. I reside at MAIN STREET, ISLIP HAMPTON, NY 11952
4. The Officers of the applicant corporation or owner corporation are as follows:

NAME	TITLE
<u>JOSEPH FARRELL</u>	<u>MANAGER</u>
_____	_____
_____	_____

5. I make and complete this affidavit under the penalty of perjury and swear to the truth herein.

6. I am aware that this affidavit is required by Southampton Town Code Chapter 50 and that I shall be guilty of a violation as provided by Southampton Town Code §50-13 should I knowingly or intentionally fail to make all disclosures herein, which is punishable by a fine not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment not exceeding fifteen days or both. I am also aware that to the extent that this affidavit is also required by General Municipal Law 809 that I shall be guilty of a misdemeanor as provided by General Municipal Law 809 should I knowingly or intentionally fail to make all disclosures herein.

7. During the preceding 24 months before the filing of this application, have any of the following individuals been employed by any member of any such Board involving compensation in an amount of Five Hundred Dollars (\$500.00) or more.

	Yes	No
1. Owner	_____	<u>✓</u>
2. Applicant	_____	<u>✓</u>
3. Agent for owner or applicant	_____	<u>✓</u>
4. Attorney	_____	<u>✓</u>
5. Other	_____	<u>✓</u>

Name	Position (Owner, Agent, Attorney, Other)	Corporation
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.....		
.....		
.....		
.....		

For the purpose of this disclosure, an official or employee of either the Town of Southampton or the County of Suffolk, shall be deemed to have an interest in the applicant and or owner when that official or employee, their spouse, brothers, sisters, parents, children, grand children or the spouse of any of them:

- a. Is the applicant or owner
- b. Is an officer, director, partner, or employee of the applicant or owner
- c. Legally or beneficially owns or controls stock of a corporate applicant or owner, or is a member of a partnership or association applicant or owner, or
- d. Is a party to an agreement with the applicant or owner, express or implied, whereby said official or employee may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application.

Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York Stock or American Stock Exchanges shall not constitute an interest for the purposes of this disclosure.

YOU MUST ANSWER THE FOLLOWING QUESTIONS YES OR NO:

Do any of the following individuals have an interest in the applicant or owner, as defined above? _____ YES ☒ NO

1. Any official of New York State _____ YES ☒ NO

2. Any official or employer of Southampton Town or Suffolk County?
_____ YES ☒ NO

3. Any member of the Planning Board, Zoning Board of Appeals or Conservation Board? _____ YES ☒ NO

If the answer above is yes, to any of the questions, General Municipal Law Section 809 requires that you disclose the name and residence and the nature and extent of the interest of said individual(s) in the applicant or owner.

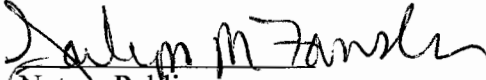
NAME	RESIDENCE	NATURE OF INTEREST
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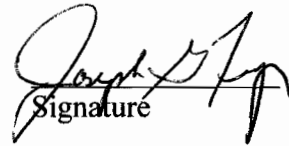
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The undersigned has made a reasonable inquiry regarding the above statements and has provided the information based thereon. The undersigned has no further personal knowledge regarding the same.

Sworn before me on this

1 day of June 2011


Notary Public


Signature

Jaclyn M Fansler
Notary Public, State of New York
No. 01FA6232334
Qualified in Suffolk County
Commission Expires December 6, 2014

AGRICULTURAL DATA STATEMENT

Pursuant to §283-a of the New York State Town Law, any application for a special permit, site plan approval, use variance or subdivision approval requiring municipal review and approval by the Town Board, Planning Board or Zoning Board of Appeals that would occur on property within an agricultural district containing a farming operation or on properties within 500 feet of a farm operation located within an agricultural district, shall include an Agricultural Data Statement. The law also requires that the reviewing Board mail written notice of such an application to the owners of land within the agricultural district that contains a farm operation, which is located within 500 feet of the boundary of the project site. The cost of the mailing shall be borne by the applicant.

1. Project Name: CAMP FARRELL, LLC.
2. Name of Applicant: CAMP FARRELL, LLC
3. Address of Applicant: P.O. Box 14 ; BRIDGEHAMPTON; NY 11932
4. SCTM # of Project: 0900-104-1-23.8
5. Project Location: HALSEY LANE; BRIDGEHAMPTON
6. Description of Project: APPLICANT PROPOSES TO CONSTRUCT
A 4410 S.F. HORSE BARN AND
RELATED FACILITIES TO SUPPORT
SEVEN (7) HORSES
7. If the property that is the subject of the pending development application is located in an Agricultural District, you must compile and submit a list of tax parcels, with owners names and addresses, for all tax parcels containing a farm operation located within 500 feet of the property that is the subject of the pending development application.

If the property that is the subject of the pending development application is located outside of an Agricultural District, you must compile and submit a list of tax parcels, with owners names and addresses, for all tax parcels containing a farm operation located within an Agricultural District and within 500 feet of the property that is the subject of the pending development application.
8. Submit a survey map showing the site of the proposed project relative to the location of farm operation parcels identified in item 6, above.

9. Submit legal size envelopes, pre-addressed to each of the parcel landowners identified in item 6, above with pre-paid certified mail postage, together with pre-addressed, green, return receipt cards for each mailing. The return address on the return receipt card must read "SOUTHAMPTON TOWN PLANNING BOARD, 116 HAMPTON ROAD, SOUTHAMPTON, NY 11968"

If you do not believe that you are subject to this requirement, please complete the following and sign below:

I have reviewed the requirements for the submission of an Agricultural Data Statement and find that said statement is not applicable to this application for the following reasons:


Applicant's/ Applicant Agent's Signature

SITE PLAN/SPECIAL EXCEPTION APPLICATION FORM CHECK LIST
THIS FORM TO BE COMPLETED BY APPLICANT

Project Name: CAMP FARRELL, LLC

SCTM No.: 0900 - 104 - 1 - 23.8

Property Address or Location: HALSEY LANE; BRIDGEHAMPTON
BRUCE A. ANDERSON

Contact Person: SUFFOLK ENVIRONMENTAL, LWS. INC.

Application submitted by: Property Owner ✓ Owner's Agent

Date: JUNE 1, 2011

SUBMISSION REQUIREMENTS
IS ITEM INCLUDED?
PLEASE CHECK YES OR NO

	YES	NO
Fees:		
Site Plan:		
1. The improved or altered area is 500 SF or less	✓	___
2. The improved area of the project is greater than 500 SF but does not exceeds 2 acres	✓	___
3. The improved area of the project exceeds 2 acres	___	✓
Special Exception Fee	✓	___
Fee Waiver Requested	___	✓
Site Plan Application Form	✓	___
Special Exception Legal Petition	✓	___
 Site Plan: Legal Data		
Site plan @ 1" = 40' or greater	✓	___
Key Map @ 1" = 200' or greater	✓	___
Name and Address of Owner of Record	✓	___
Name and Address of person/firm preparing map	✓	___
Signed/Stamped	✓	___
Date	✓	___
North Arrow	✓	___
Scale (Graphic or Written)	✓	___
Property Description (error of closure not exceed 1 in 10,000)	✓	___
Location, Names, Ownership of adjacent streets and curblines	✓	___

Adjoining lands and owners	<input checked="" type="checkbox"/>	___
Public easements, setbacks, or dedicated area on site or adjoining land	<input checked="" type="checkbox"/>	___
Outline of existing easements, deed restrictions or covenants on site	<input checked="" type="checkbox"/>	___
Existing Zoning	<input checked="" type="checkbox"/>	___

Site Plan: Natural Features

Existing contours at max. 2' intervals, or spot elevations (Identify source of contour information)	<input checked="" type="checkbox"/>	___
Approximate boundaries of areas subject to flooding	<input checked="" type="checkbox"/>	___
Identification of unique natural features (wetlands, steep slopes)	___	<u>N/A</u>
Identification of cultural features on site or adjacent	___	<u>N/A</u>
Archeological, historic buildings, agricultural fields on or adjacent	___	<u>N/A</u>

Site Plan: Existing Structures and Utilities

Building footprints and uses not requiring buildings	<input checked="" type="checkbox"/>	___
All paved areas, parking areas, sidewalks, vehicular access to street	<input checked="" type="checkbox"/>	___
Existing culverts (dimension and grades) flow direction and grades	___	<u>N/A</u>
Underground/above ground utilities on site and adjacent	___	___
Electrical Service	<input checked="" type="checkbox"/>	___
Water Mains	<input checked="" type="checkbox"/>	___
Sewer Mains	___	<u>N/A</u>
All existing site structures (including fences)	<input checked="" type="checkbox"/>	___
Location and use of all buildings and structures within 200'	<input checked="" type="checkbox"/>	___
Nearest Fire Hydrant, cisterns, other fire protection	<input checked="" type="checkbox"/>	___

Site Plan: Proposed Development

Location of building or structures (Indicate all setbacks and horizontal distances from existing structure)	<input checked="" type="checkbox"/>	___
Location and design of non-structural elements (parking, loading areas)	<input checked="" type="checkbox"/>	___
Parking calculations	___	___
Automobile	___	<u>N/A</u>
Truck	___	<u>N/A</u>
Outdoor lighting plan – location & lamp Design (Lightening power w/ foot-candles indicated on site plan, and time of use)	<input checked="" type="checkbox"/>	___
Grading and drainage plan	<input checked="" type="checkbox"/>	___
Drainage calculations	___	<u>N/A</u>
Proposed contours/spot elevations	___	<u>N/A</u>
Sewage disposal treatment	<input checked="" type="checkbox"/>	___

Storage areas for materials, vehicles, equipment, supplies, products	<input checked="" type="checkbox"/>	___
Building Elevations including:	<input checked="" type="checkbox"/>	___
Description of materials, colors	<input checked="" type="checkbox"/>	___
Sign Plans	<input checked="" type="checkbox"/>	___
Proposed location	<input checked="" type="checkbox"/>	___
Design	<input checked="" type="checkbox"/>	___
Landscape Plans	<input checked="" type="checkbox"/>	___
Plant List	<input checked="" type="checkbox"/>	___
Size and Quantity	<input checked="" type="checkbox"/>	___
Cablevision installations, location of water valves, water supply	<input checked="" type="checkbox"/>	___
Outdoor storage areas	<input checked="" type="checkbox"/>	___
(located in side or rear yard and screened or fenced)		
Phased development plans (when appropriate)	___	N/A
Compliance with ZBA Variance (if applicable)	___	N/A

Additional Materials:

Certificate of Appropriateness (Landmarks & Historic District)	___	N/A
Wetland Permit Application (if applicable)	___	N/A
Sign Permit Application (if applicable)	___	N/A
Owners Endorsement	<input checked="" type="checkbox"/>	___
Disclosure Affidavit	<input checked="" type="checkbox"/>	___
Agriculture Data Statement	<input checked="" type="checkbox"/>	___

Additional Comments:

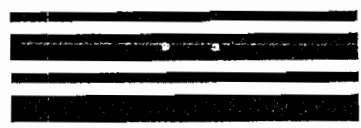
For all information that is not provided state "No".
If the applicant believes these items are not applicable, indicate such and give reasoning.

Other comments about the submission may be provided here.

Bruce L. Anderson
Applicant's Name
(AGENT)

B. L. Anderson
Applicant's Signature

R. 6/7/07
Ag Reserve
JT



SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE

Type of Instrument: DEEDS/DDD
Number of Pages: 3
Receipt Number : 07-0061811
TRANSFER TAX NUMBER: 06-38375

Recorded: 07/03/2007
At: 11:01:34 AM
LIBER: D00012511
PAGE: 976

District: 0900 Section: 104.00 Block: 01.00 Lot: 023.008

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$1,000,000.00

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$9.00	NO	Handling	\$5.00	NO
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO
EA-CTY	\$5.00	NO	EA-STATE	\$75.00	NO
TP-584	\$5.00	NO	Cert.Copies	\$0.00	NO
RPT	\$30.00	NO	SCTM	\$0.00	NO
Transfer tax	\$4,000.00	NO	Comm.Pres	\$0.00	NO
			Fees Paid	\$4,149.00	

TRANSFER TAX NUMBER: 06-38375

THIS PAGE IS A PART OF THE INSTRUMENT
THIS IS NOT A BILL

Judith A. Pascale
County Clerk, Suffolk County

Ag Reserve

1 2

Number of pages 3
TORRENS
Serial # _____
Certificate # _____
Prior Ctf. # _____

RECORDED
2007 Jul 03 11:01:34 AM
Joan M. H. Pascali
CLERK OF
SUFFOLK COUNTY
L 000012511
P 976
DTW 06-38375

Deed / Mortgage Instrument		Deed / Mortgage Tax Stamp	Recording / Filing Stamps
3		FEES	
Page / Filing Fee	<u>9</u>		Mortgage Amt. _____
Handling	<u>5.00</u>		1. Basic Tax _____
TP-584	<u>5</u>		2. Additional Tax _____
Notation	_____		Sub Total _____
EA-52 17 (County)	<u>5</u>	Sub Total _____	Spec./Assit. _____
EA-5217 (State)	<u>75</u>		or _____
R.P.T.S.A.	<u>30.00</u>		Spec. /Add. _____
Comm. of Ed.	<u>5.00</u>		TOT. MTG. TAX _____
Affidavit	_____		Dual Town _____ Dual County _____
Certified Copy	_____		Held for Appointment _____
NYS Surcharge	<u>15.00</u>	Sub Total _____	Transfer Tax <u>4000</u> <i>ck</i>
Other	_____	Grand Total <u>149</u> <i>Ln</i>	Mansion Tax _____
			The property covered by this mortgage is or will be improved by a one or two family dwelling only.
			YES _____ or NO _____
			If NO, see appropriate tax clause on page # _____ of this instrument.



4	Dist. <u>0900</u>	Section <u>104.00</u>	Block <u>01.00</u>	Lot <u>023.008</u>	5	Community Preservation Fund
Real Property Tax Service Agency Verification						Consideration Amount \$ <u>4000.00</u>
07019914 0900 10400 0100 023008						CPF Tax Due \$ <u>2</u>
PT S R LPA A 02-JUL-07						Improved _____
Satisfactions/Discharges/Releases List Property Owners Mailing Address						Vacant Land <input checked="" type="checkbox"/>
RECORD & RETURN TO:						TD <u>09</u>
Jane R. Kratz, Esq. 223 West Montauk Highway Suite 102 Hampton Bays, N.Y. 11946						TD _____
7						Title Company Information
						Co. Name <u>Decision 2000 Real Est Srv Inc.</u>
						Title # <u>07-08-5820</u>

8 **Suffolk County Recording & Endorsement Page**

This page forms part of the attached Deed made by: _____

(SPECIFY TYPE OF INSTRUMENT)

Estate of Ahmet Ertegun

TO

Camp Farrell, L.L.C.

In the Township of Southampton

In the VILLAGE _____

or HAMLET of _____

BOXES 6 THRU 8 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.



CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made on the 22nd day of June, 2007
BETWEEN

Mica Ertegun A/K/A IOANA MARIA ERTEGUN
121 East 81st Street
New York, New York 10028

as executor of

the last will and testament of
late of

~~The Estate of~~ Ahmet Ertegun

who died on the 14th day of December, 2006
party of the first part, and

CAMP FARRELL, LLC,
%Joseph Farrell

c/o Farrell Building Co.,
P.O. Box 14, Bridgehampton, New York 11932
1004 MAIN ST., Bridgehampton, NY 11932

party of the second part,

WITNESSETH, that the party of the first part, to whom

testamentary were issued by the Surrogate's Court, New York

on January 21st 2007 and by virtue of the power and authority given in and by said last will
and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of

One million (\$1,000,000.00)

dollars,

paid by the party of the second part, does hereby grant and
release unto the party of the second part, the distributees or successors and assigns of the party of the second
part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of Southampton, County of Suffolk and State of New York,
known and designated as "Agricultural Reserve Area on a certain map entitled,
"Map of Ahmet Ertegun and filed in the Office of the Clerk of the County of
Suffolk on 10/18/1999 as Map No. 10342."

Together with an easement of ingress and egress over the 20 foot wide
Agricultural Reserve Access Right of Way as shown on the above mentioned
Map of Ahmet Ertegun.

Subject to: Agricultural Reserve Area as shown on filed map. Line of Federal
Aviation Administration Easement as shown on filed map. Agreement for Restrictive
Easement in Liber 7674 cp 86. Easement in Liber 8524 cp 193. Offer of Dedication i
Liber 11997 cp 810. Declaration of Agricultural Reserve Access Right of Way Ease-
ment in Liber 11997 cp 811. Grant of Agricultural Easement in Liber 11997 cp 813.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and
roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances,
and also all the estate which the said decedent had at the time of decedent's death in said premises, and also
the estate therein, which the party of the first part has or has power to convey or dispose of, whether individ-
ually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto
the party of the second part, the distributees or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything
whereby the said premises have been incumbered in any way whatever, except as aforesaid.

Subject to the trust fund provisions of section thirteen of the Lien Law.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above
written.

IN PRESENCE OF:

Ioana Maria Ertegun

Mica Ertegun aka
Ioana Maria Ertegun

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of New York ss.:

On June 14, 2007 before me, the undersigned,
personally appeared JOANA MARIA ERTEGUN A/K/A
Mica Ertegun, Executrix

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JANET C. HOWE
NOTARY PUBLIC, STATE OF NEW YORK
(signature and office of individual taking acknowledgment)
QUALIFIED IN QUEENS COUNTY
CERT. FILED IN NEW YORK COUNTY
COM. EXPIRES MAY 24, 2010

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of _____ County of _____ ss.:

On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of _____ County of _____ ss.:

On _____ before me, the undersigned,
personally appeared _____

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

JANET C. HOWE
NOTARY PUBLIC, STATE OF NEW YORK
(signature and office of individual taking acknowledgment)
QUALIFIED IN QUEENS COUNTY
CERT. FILED IN NEW YORK COUNTY
COM. EXPIRES MAY 24, 2010

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

Executor's Deed

TITLE No. Decision 2000 Real Estate Services Inc.

Title No. 07-08-5820

Estate of Ahmet Ertegun

Camp Farrell, LLC
TO
Joseph Farrell

SECTION 104.00
BLOCK 01.00
LOT 023.008
COUNTY OR TOWN Southampton
STREET ADDRESS Agricultural Reserve


RETURN BY MAIL TO:

Jane R. Kratz, Esq.
223 West Montauk Highway, Suite 102
Hampton Bays, New York 11946

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

11997PC812 Number of pages <u>9</u> TORRENS Serial # _____ Certificate # _____ Prior Ctf. # _____	1 2 13807	13807 RECEIVED \$ <u>2</u> REAL ESTATE OCT 29 1999 TRANSFER TAX SUFFOLK COUNTY	1 RECORDED 99 OCT 29 AM 10:33 EDWARDS & FOMAINÉ CLERK OF SUFFOLK COUNTY
Deed / Mortgage Instrument	Deed / Mortgage Tax Stamp	Recording / Filing Stamps	

FEES	
Page / Filing Fee <u>27-</u> Handling <u>5-</u> TP-584 <u>5-</u> Notation _____ EA-52 17 (County) _____ Sub Total <u>37-</u> EA-52 17 (State) _____ R.P.T.S.A. <u>1500</u> Comm. of Ed. <u>5 00</u> Affidavit _____ Certified Copy _____ Reg. Copy _____ Other _____	Mortgage Amt. _____ 1. Basic Tax _____ 2. Additional Tax _____ Sub Total _____ Spec./Assit. _____ Spec./Add. _____ TOT. MTG. TAX _____ Dual Town _____ Dual County _____ Held for Apportionment _____ Transfer Tax <u>0-</u> Mansion Tax _____ The property covered by this mortgage is or will be improved by a one or two family dwelling only. YES _____ or NO _____ If NO, see appropriate tax clause on page # _____ of this instrument.
Sub Total <u>22-</u> GRAND TOTAL <u>57-</u>	

Real Property Tax Service Agency Verification <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Dist.</th> <th>Section</th> <th>Block</th> <th>Lot</th> </tr> <tr> <td><u>0900</u></td> <td><u>104.00</u></td> <td><u>01.00</u></td> <td><u>033.00 L</u></td> </tr> </table> Date <u>10-27-99</u> Initials <u>CS</u>	Dist.	Section	Block	Lot	<u>0900</u>	<u>104.00</u>	<u>01.00</u>	<u>033.00 L</u>	6 Community Preservation Fund Consideration Amount \$ <u>0</u> CPF Tax Due \$ <u>0</u> Approved <input checked="" type="checkbox"/> Vacant Land <input type="checkbox"/> TD <u>09</u> TD <u>7</u> TD <u>7</u>
Dist.	Section	Block	Lot						
<u>0900</u>	<u>104.00</u>	<u>01.00</u>	<u>033.00 L</u>						
7 Satisfaction/Discharges/Releases List Property Owners Mailing Address RECORD & RETURN TO: PLANNING BOARD TOWN OF SOUTHAMPTON 116 HAMPTON ROAD SOUTHAMPTON, N.Y. 11968									
8 Title Company Information Co. Name _____ Title # _____									

9 Suffolk County Recording & Endorsement Page	
This page forms part of the attached <u>Grant of Agricultural Easement</u> made by: (SPECIFY TYPE OF INSTRUMENT) <u>AKMET ENTEGUN</u> TO <u>TOWN OF SOUTHAMPTON</u>	The premises herein is situated in SUFFOLK COUNTY, NEW YORK. In the Township of <u>Southampton</u> In the VILLAGE or HAMLET of <u>Bridgehampton</u>
BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.	

(OVER)

AGRICULTURAL EASEMENT

THIS INDENTURE, made this 2nd day of September, 1998, by and between AHMET ERTEGUN, residing at 121 East 81st Street, New York, New York 10028, the party of the first part, hereinafter called the GRANTOR, and the TOWN OF SOUTHAMPTON, a municipal corporation of the State of New York, having its principal office at 116 Hampton Road, Southampton, New York, party of the second part, hereinafter called the GRANTEE;

WITNESSETH:

WHEREAS, the Grantor is the owner of certain real property situate at Bridgehampton, Town of Southampton, County of Suffolk and State of New York, more particularly bounded and described as set forth in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the Grantor has made an application and has received approval from the Planning Board of the Town of Southampton to subdivide said real property into four lots, as shown on the map entitled "AHMET ERTEGUN", prepared by Young & Young, Land Surveyors, last dated July 2, 1996, which map was duly filed and recorded in the Office of the Suffolk County Clerk, on Oct 18, 1998, as Map File No. 10342, and

WHEREAS, a portion of the said real property constitutes an area of natural scenic beauty, and is presently desirable and productive for farming and agricultural purposes, and the openness, natural condition and present state of use of said portion, if retained, would maintain and enhance the present and potential value of abutting and surrounding properties and would enhance the preservation, conservation and retention of farmland, open spaces and/or areas of scenic and natural resources of the Town of Southampton, and

WHEREAS, Town Law Section 278 provides for the modification of applicable provisions of the zoning ordinance simultaneously with the approval of a subdivision plat, for the purpose of enabling and encouraging flexibility of design and development of land in such a manner as to promote the most appropriate use of land and to preserve the natural and scenic qualities and conditions of open lands, and

WHEREAS, said subdivision has been approved pursuant to Town Law Section 278, whereby such portion of said real property, which is shown and designated on the aforesaid subdivision map as Agricultural Reserve Easement has been set aside as open space, and

WHEREAS, Town Law Section 278 provides, as conditions of approval of such subdivision, for the establishment of conditions on the ownership, use and maintenance of such lands as deemed necessary to assure the preservation of such lands for their intended purposes, and

WHEREAS, General Municipal Law Section 247 provides for the acquisition by designated governmental bodies and entities, including towns, of fee title or lesser interests in real property, including development rights, negative and positive use, easements and other easements, restrictive and affirmative covenants, and other contractual and ownership rights in real property which may be necessary and/or desirable for the preservation, conservation and retention of open spaces and/or areas and scenic and/or natural resources, and

WHEREAS, the GRANTEE has instituted and is carrying out policies and programs to maintain farmland and open spaces and to preserve the natural and scenic qualities and conditions of open lands and scenic landscapes within the Town; and

WHEREAS, the GRANTEE, in furtherance of the above policies and programs and in accordance with the provisions of Town Law Section 278 and General Municipal Law Section 247, has required a grant of Agricultural Easement affecting those open space portions of said real property, and

WHEREAS, the GRANTOR desires to grant such as Easement to the GRANTEE affecting said open spaces,

NOW, THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration paid to the GRANTOR, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, transfer, bargain, sell and convey to the GRANTEE, an Agricultural Easement, in gross, which shall be binding upon and shall restrict the premises shown and designated on the aforesaid subdivision map as Agricultural Reserve Easement, herein referred to as the Agricultural Easement Area, more particularly bounded and described as set forth in Schedule "A" annexed hereto and made a part of this instrument.

TO HAVE AND TO HOLD said easement, rights and interests in connection therewith and as are hereinafter set forth, with respect to said Easement Area, unto the GRANTEE, its successors and assigns forever, reserving however, for the direct use and benefit of the GRANTOR, its heirs, legal representatives, successors and assigns, the exclusive right of occupancy and of use of said Easement Area, subject to the conditions, covenants, agreements, provisions and use restrictions hereinafter set forth, which shall constitute and shall be servitudes upon and with respect to said Agricultural Easement Area.

The GRANTOR for itself and for and on behalf of its heirs, legal representatives, successors and assigns, hereby covenant and agree as follows:

1. The use and development of the Agricultural Reserve Easement Area will forever be restricted to some or all of the following:

(a) farming operations and activities (including soil preparation, cultivation, fertilization, irrigation, pest control, and drainage control) and any other normal and customary farming operations and the use of farm vehicles and equipment in connection therewith, all as designated and intended to promote and enhance agricultural production encompassing the production for commercial purposes of field crops (including without limitation, corn, wheat, oats, rye, barley, hay, potatoes and dry beans); fruits (including without limitation apples, peaches, grapes, cherries and berries); vegetables (including without limitation tomatoes, snap beans, cabbage, carrots, beets and onions); horticultural specialties (including without limitation, nursery stock, ornamental shrubs and ornamental trees and flowers); and all other farm products; livestock and livestock products (including cattle, sheep, goats, horses and poultry);

(b) open fallow (providing, however, that said reserve shall be mowed on an annual basis to prevent successional field growth); and

(c) compatible recreational activities, subject to Planning Board approval.

2. The following shall be adhered to on the Agricultural Reserve Easement Area for the purpose of maintaining said premises in its current condition for continued agricultural production and to prevent the degradation or loss of the aesthetic open space value of said premises:

(a) No regrading shall be conducted thereon; the natural contours thereof shall remain generally undisturbed and no fill or spoil shall be placed thereon;

(b) No top soil, loam, sand, stone, gravel, rock or mineral shall be excavated or removed therefrom or placed thereon;

(c) Farming practices shall be such that erosion of the land is eliminated or minimized and nothing shall be permitted to occur thereon which would result in increased erosion of said premises;

(d) No streets, roadways or other rights of way for nonfarming vehicular use shall be constructed or granted thereon;

(e) Except as may be required for reasons of irrigation, drainage, sanitation or disease control, no trees, plants or other vegetation located thereon, shall be killed, destroyed, cut or removed therefrom;

(f) No dumping, placement, storage or burning of any liquid or solid waste, garbage, ashes, sawdust, trash, rubbish, refuse or other objectionable, unsightly or offensive material shall be permitted on or within the said premises;

(g) The said premises will forever be kept open and free of all signs, bill boards or other forms of visual advertisement or display, (except for individual lot "For Sale" signs which are sized and located in accordance with Section 300-85 through 91 of the Zoning Code of the Town of Southampton, as same may be amended from time to time) (except for one subdivision identification sign, at each street entrance, in a location and size acceptable to the Planning Board of the Town of Southampton and which shall be subject to compliance with all other laws, rules and regulations which may govern the placement of same);

(h) No temporary or permanent residential or residential accessory structure or building shall be placed or erected within or upon the said premises; and

(i) No less than the entire agricultural reserve parcel shall be leased, unless such other partial lease arrangement is found to be in the public interest and is approved by the Town Board.

Notwithstanding the provisions hereof, nothing herein shall be construed as precluding the GRANTOR from erecting or constructing agricultural accessory structures or buildings which are deemed reasonably necessary for the utilization of the said premises for bonafide agricultural production, provided that a site plan showing the size and location of such structures or buildings, elevational diagrams or each side of such structures or buildings and a written explanation of the proposed use of such structures or buildings, is pre-submitted to and found acceptable and reasonably necessary by the Planning Board of the Town of Southampton or its successor.

Anything herein to the contrary notwithstanding, the GRANTOR reserves the right to request permission to construct and maintain within the said Agricultural Reserve Easement Area such catch

basins, wells, cisterns, pipes and drainage canals, which are determined to be reasonably necessary or useful for the maintenance and utilization of the said easement area for its intended agricultural purpose, and to construct and maintain underground utilities and to grant appropriate utility easements, within said easement area, for telephone, telegraph, electric, gas, water and other utility services, as may be deemed necessary for the purpose of servicing the said easement area and/or the developed portions of the aforesaid subdivision, all subject to review and approval by the Planning Board of the Town of Southampton.

Notwithstanding the provisions hereof, the GRANTOR reserves the right to the exclusive use and possession of said Easement Area, insofar as such use and possession is not inconsistent with the conditions, covenants, agreements, provisions and use restrictions hereinabove set forth and the GRANTOR may exclude the general public or any designated person or persons from the use of or entry upon said Easement Area, except that the GRANTEE shall have the continuing right to inspect said Easement Area, for the purpose of monitoring compliance with the conditions, covenants, agreements, provisions and use restrictions hereof, and to assure that such conditions, covenants, agreements, provisions and use restrictions of this easement have not and are not being violated; such inspection to be to the extent reasonably required, at reasonable times, on reasonable notice and by mutual arrangement if possible.

Failure of the GRANTEE to insist upon the strict performance of any of the conditions, covenants, agreements, provisions or use restrictions contained herein, shall not be deemed as a waiver of any subsequent breach or default as to such or any other of the conditions, covenants, agreements, provisions or use restrictions contained herein.

The GRANTEE hereby accepts the foregoing grant of Agricultural Easement and the parties hereto each agree that the conditions, covenants, agreements, provisions and use restrictions hereinabove set forth shall in all respects upon the recording of this instrument by the parties hereto, be immediately binding upon the GRANTOR and its heirs, legal representatives, successors and assigns, and same shall benefit the GRANTEE, its heirs, legal representatives, successors and assigns and that the burdens of said EASEMENT are perpetual and shall run with the land.

No property rights acquired hereunder shall be alienated except upon the adoption of a local law authorizing the alienation of said rights and interest, by a majority plus one vote of the Town Board of the Town of Southampton, following a public hearing and, thereafter, ratified by a mandatory referendum by the electors or the Town of Southampton with an affirmative two-thirds vote, as provided by Chapter 247-14 of the Code of the Town of Southampton. No subsequent amendment of the provisions of said Code shall alter

the limitations placed upon the alienation of those property rights or interests which were acquired by the Town prior to any such amendment.

The GRANTEE agrees that while the assessed valuation placed upon the Agricultural Easement Area for the purposes of real estate taxation must, to the extent of the actual reduction of the fair market value of said Easement Area, by reason of this Grant of Easement, take into account and be limited by the restrictions and limitations imposed on the future use of said Easement Area by this Agricultural Easement, as required under Section 247(3) of the General Municipal Law, and generally in accordance with valuation principles legally applicable to such assessments of real property. Nevertheless, if at any time said Easement Area, or any portion thereof, shall be taken or condemned by eminent domain, by the GRANTEE or by any other governmental body, then the Easement hereby granted shall come to an end and shall terminate with respect to said Easement Area, or portions thereof, so taken or condemned and all rights and interest in said Easement Area, or portions thereof, so taken or condemned, as hereby granted, shall revert to the GRANTOR, its heirs, legal representatives, successors or assigns, to the effect that as of the time of such taking or condemnation, the Easement Area, or portion thereof, so taken or condemned, shall not be subject to the restrictions and limitations of said Easement. In such event, neither the GRANTOR nor its heirs, legal representatives, successors or assigns shall be required to pay any penalties, nor shall the value of said Easement Area (including for purposes of computation or severance damages, if any, those parts thereof not taken or condemned) be in any way reduced or limited by this Easement, nor shall any part of the condemnation award belong to or be payable to the GRANTEE.

IN WITNESS WHEREOF, the GRANTEE has duly executed this agreement, and the GRANTEE has caused this agreement to be executed on its behalf by a duly authorized officer thereof as of the day and year first above written.

*Ahmet Ertegun by
Mary Jane Asato his attorney-in-fact*
AHMET ERTEGUN, by Mary Jane
Asato, his attorney-in-fact

TOWN OF SOUTHAMPTON, Grantee

By: *V. Cannuscio*
Vincent Cannuscio, Town Supervisor

STATE OF NEW YORK)
) SS:
COUNTY OF SUFFOLK)

On the 2nd day of September, 1998, before me the subscriber, personally appeared MARY JANE ASATO, as attorney in fact of and for AHMET ERTEGUN, to me personally known and known to me to be the same person described in and who executed the within instrument and known to me to be the individual described in and duly appointed as attorney in fact of and for AHMET ERTEGUN in a certain Power of Attorney duly executed and bearing date and acknowledged the 23rd day of June, 1998, to be recorded simultaneously herewith, and she, the said MARY JANE ASATO, as such attorney in fact duly acknowledged to me that she executed the same pursuant to authority contained in such power of attorney which is in full force and effect and has not been revoked, and that the said AHMET ERTEGUN is alive and under no legal incapacity.


Notary Public

ALICIA F. OSBORNE
Notary Public, State of New York
No. 01055059562, Suffolk County
Term Expires 04/29/00

STATE OF NEW YORK)
) SS.:
COUNTY OF SUFFOLK)

On the 16th day of September, 1998, before me personally came VINCENT CANNUSCIO, to me known, who being duly sworn, did depose and say that he is the Town Supervisor of the Town of Southampton, the municipal corporation described herein and which executed the foregoing agreement; that he knows the seal of said municipal corporation; that said seal was affixed by order of the Town Board of said municipal corporation and that he signed his name thereto by like order.


Notary Public

WAYNE D. BRUYN
Notary Public, State of New York
No. 5008450
Qualified in Suffolk County 99
Commission Expires Feb. 22, 1999

11997PC812

Schedule "A"
Agricultural Reserve Easement
for the Subdivision Map of Ahmet Ertegun

ALL that certain plot, piece of parcel of land, situate, lying and being at Bridgehampton, in the Town of Southampton, County of Suffolk and State of New York, known and designated as "Agricultural Reserve", as shown on a certain map entitled "Ahmet Ertegun", filed in the Office of the Clerk of the County of Suffolk on OCT. 18, 1999, as Map No. 10342, more particularly bounded and described as follows:

BEGINNING at a point which point is the following three courses and distances from the corner formed by the intersection of the westerly side of Halsey Lane with the southerly side of Paul's Lane:

1. South 8 degrees 32 minutes 20 seconds west, along the westerly side of Halsey Lane 706 feet;
2. South 8 degrees 32 minutes 20 seconds west, along the westerly side of Halsey Lane 423.67 feet to a monument; and
3. South 83 degrees 24 minutes 05 seconds west, along lands now or formerly of Harold and Raymond Topping 677.96 feet;

RUNNING THENCE along said land South 83 degrees 24 minutes 05 seconds West 503.48 feet to lands now or formerly of Carol Konner;

RUNNING THENCE North 07 degrees 00 minutes 40 seconds East, 752.10 feet to a monument;

RUNNING THENCE North 83 degrees 24 minutes 05 seconds East, 524.26 feet;

RUNNING THENCE South 08 degrees 32 minutes 20 seconds West, 757.26 feet to the point or place of BEGINNING.

5524 193

This Indenture,

Made the 12th day of October nineteen hundred

and Seventy-eight

Between WILLIAM MUSNICKI, residing at (not) Ocean Road,
Bridgehampton, New York 11932

part y of the first part,

and UNITED STATES OF AMERICA, C/O Department of Transportation,
Federal Aviation Administration, Eastern Region, Federal Building,
John F. Kennedy International Airport, Jamaica, New York 11430

part y of the second part,

Witnesseth, that the party of the first part, in consideration of -----

----- EIGHTEEN THOUSAND THREE HUNDRED (\$18,300.00) ----- Dollars,

lawful money of the United States, and other good and valuable considerations

in hand

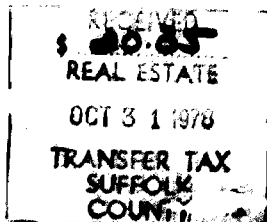
paid by the party of the second part

do hereby grant and release unto the part y of the second part, its

successors

and assigns forever,

An easement against the erection of structures within the following area except with the express prior written approval of the United States Department of Transportation, Federal Aviation Administration:
All that certain tract, piece or parcel of land, situate, lying and being at Mecox, in the Town of Southampton, County of Suffolk and State of New York, bounded and described as follows:
BEGINNING at a point at the northwest corner of the lands of William Musnicki and the southwest corner of lands of A.B. Zeller, said point being the point of beginning; proceed North 84° 24' 05" East 222.76 feet to a point on the north boundary of the lands of William Musnicki; thence clockwise 818.02 feet along an arc with 750 feet radius which centers at a point located South 78° 17' 05" West 533.45 feet from the said point of beginning; thence South 84° 28' 05" West 133.12 feet to a point at the southwest corner of the lands of Musnicki; thence North 8° 00' 40" East 752.10 feet to the point of beginning and containing 4.3 acres more or less, all bearings are true.



LIBER 8524 PAGE 194

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the part Y of the second part, its successors and assigns forever.

And the said part y of the first part covenant s as follows:

First.—That the part y of the first part is seized of the said premises in fee simple, and has good right to convey the same,

Second.—That the part y of the second part shall quietly enjoy the said premises;

Third.—That the said premises are free from incumbrances;

Fourth.—That the part y of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth.—That the part y of the first part will forever warrant the title to said premises.

Sixth.—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The land interests described herein are being acquired for the Federal Aviation Administration.

In Witness Whereof, the part y of the first part has hereunto set his hand and seal the day and year first above written.

In presence of:

[Signature]

[Signature]
William Musnicki

..... L. S.

..... L. S.

..... L. S.

State of NEW YORK

County of SUFFOLK

} ss.:

On the 12th day of SEPTEMBER nineteen hundred and seventy-seven before me came

WILLIAM MUSNICKI

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public

E. ALAN BIRTHWISTLE
NOTARY PUBLIC, State of New York
No. 52 0290991, Suffolk County
Term Expires March 30, 1979

State of
County of

ss.:

On the
before me came

day of

September twenty and

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

State of
County of

ss.:

On the
before me came

day of

nineteen hundred and

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides in

that he knows

to be the individual described in, and who executed the foregoing instrument; that he, said subscribing witness, was present, and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

660033

WILLIAM MUSNICKI

to

UNITED STATES OF
AMERICA

WARRANT

19 77

within
wn of
Suffolk

VEN TO

Charles P. [illegible]
[illegible]
[illegible]
[illegible]

Reserve this space for the Recording Office.

2125
OCT 31 2 23 PM '78

ARTHUR J. FELICE
CLERK OF
SUFFOLK COUNTY

101 7674 PAGE 88

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
EASTERN REGION - FEDERAL BUILDING
JOHN F. KENNEDY INTERNATIONAL AIRPORT
JAMAICA, NEW YORK 11430

Contract No. DOT-FA75EA-7773
Hampton, New York
VORTAC Easement

AGREEMENT FOR RESTRICTIVE EASEMENT

between

UNITED STATES OF AMERICA

and

WILLIAM MUSNICKI

THIS AGREEMENT, made and entered into this 13th day of June, 1974, by and between the United States of America, acting by and through the Department of Transportation, Federal Aviation Administration, hereinafter referred to as the Government, and William Musnicki, whose address is Ocean Avenue, Bridgehampton, New York 11932, for himself and his heirs, executors, administrators, successors and assigns, hereinafter referred to as the Owner;

W I T N E S S E T H

WHEREAS, the Government maintains an air navigational facility known as the Hampton, New York VORTAC on the property of Charles R. Osborn, David R. Osborn and Ruth O. Daisley, T/A Osborn Produce Company, located at the southeast corner of Paul's Lane (Topping Lane) and Nowlight Lane (Paul's Lane) in Macox, Town of Southampton, County of Suffolk, State of New York; and

WHEREAS, in connection therewith, the Government has determined that certain restrictions must be imposed upon the erection of structures on a portion of the premises of the Owner hereinaabove named; and

WHEREAS, the Owner is willing to grant to the Government the rights and easement which are herein described; and

WHEREAS, it is considered to be in the best interests of the Government to enter into this Agreement;

2066096
ALBANY COUNTY
REAL ESTATE
TRANSFER TAX
STATE OF NEW YORK
Dept. of Taxation & Finance
JUL 12 74
\$00.00
PB 10025

2

NOW, THEREFORE, in consideration of the premises herein contained, it is agreed as follows:

1. The Owner hereby grants to the Government the following:

An easement against the erection of structures within the following area except with the express prior written approval of the U. S. Department of Transportation, Federal Aviation Administration:

Beginning at a point at the northwest corner of the lands of William Musnicki and the southwest corner of lands of A. B. Zeller, said point being the point of beginning; proceed N 84° 24' 05" E, 222.76' to a point on the north boundary of the lands of W. Musnicki; thence clockwise 813.02' along an arc with 750' radius which centers at a point located S 78° 17' 05" W, 533.45' from the said point of beginning; thence S 84° 28' 05" W, 133.12' to a point at the southwest corner of the lands of Musnicki; thence N 8° 00' 40" E, 752.10' to the point of beginning. Containing 4.3 acres more or less, situated in Maccx, Town of Southampton, County of Suffolk, State of New York. All bearings are true.

2. This agreement shall become effective July 1, 1974, and shall remain in force until June 30, 1975, at a rental rate of \$1830.00 for such period, and may at the option of the Government, be renewed from year to year at an annual rental of \$1830.00 and otherwise upon the terms and conditions herein specified. The Government's option shall be deemed exercised and the agreement renewed each year for one year unless the Government gives 30 days' notice that it will not exercise its option, before this agreement or any renewal thereof expires, Provided, That no renewal thereof shall extend the period of this agreement beyond the 30th day of June 1979.

- half of the
2. Payment shall be made at the end of each Government fiscal year without the submission of invoices or vouchers.
 4. The Government is hereby granted the option to purchase permanent easement(s) as described in Paragraph 1, above, and the Owner agrees to sell such easement(s) for the sum of \$18300.00 and to furnish free of expense to the Government such documentation and such title evidence as may be acceptable to the Attorney General of the United States. It is expressly understood and agreed that the Government will continue to pay rent for the rights described in 1, above, at the rate stipulated in 2, above, until such time as the permanent easement(s) are vested in the Government or until termination of this agreement, whichever occurs first.
 5. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the agreement be for the general benefit of such corporation or company.
 6. COVENANT AGAINST CONTINGENT FEES: The Owner warrants that no person or selling agency has been employed or retained to solicit or secure this restrictive easement agreement upon an agreement or understanding for a commission, brokerage, percentage, or contingent fee, excepting bonafide employees or bonafide established commercial or selling agencies maintained by the Owner for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this agreement without liability or in its discretion to deduct from the contract price or consideration, the full amount of such commission, brokerage, percentage, or contingent fee.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names as of the date first above written.

Accepted this 13th day of JUNE, 1974.

OWNER:

William Musnicki
WILLIAM MUSNICKI

UNITED STATES OF AMERICA
Federal Aviation Administration

BY: John V. Peterson

John V. Peterson
Contracting Officer

TITLE: _____

1001 7674 ME 80

STATE OF New York

COUNTY OF Suffolk

)
) ss:
)

On this 13th day of JUNE, 1974, A. D.,
personally appeared before me William Musnicki
to me known to be the person or persons described in and who executed
Lease No. DOT-PA75EA-7773, and acknowledged that he signed
and sealed the same as his free voluntary act and deed for
the uses and purposes therein mentioned.

Given under my hand and official seal:

L. Alan Birtwhistle
(Notary Public)

Residing at: BRIDGEHAMPTON, N.Y. My Commission Expires:

3/30/75

L. ALAN BIRTWHISTLE
NOTARY PUBLIC, STATE OF NEW YORK
NO. 52-0298990, SUFFOLK COUNTY
TERM EXPIRES MARCH 30, 1975

EA Form 4-23-13 (2-67) (Replaces EA Form 27 which may be used)

1001 7674 ME 80

LOCK 7674 ME 80

177 38886

RECORDED

JUL 12 2 37 PM '74
LESTER W. ALPERTSON
CLERK OF
SUFFOLK COUNTY

08 JUL 1974

11997PC810

Number of pages

TOHRENS

Serial #

Certificate #

Prior Crt. #

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamps

4

PBBS

Page / Filing Fee

Handling

TY-584

Notation

EA-5217 (County)

Sub Total

EA-5217 (State)

R.P.E.S.A.

Comm. of Ed.

Affidavit

Certified Copy

Reg. Copy

Other

Sub Total

GRAND TOTAL



RECORDED

99 OCT 29 AM 10:33

EDWARD P. ROMAINE
CLERK OF
SUFFOLK COUNTY

Mortgage Amt.

1. Basic Tax

2. Additional Tax

Sub Total

Spec./Asst.

Or

Spec./Add.

TOT. MTO. TAX

Dual Town Dual County

Held for Apportionment

Transfer Tax

Mansion Tax

The property covered by this mortgage is or
will be improved by a one or two family
dwelling only.

YES or NO

If NO, see appropriate tax clause on page #
of this instrument.

Real Property Tax Service Agency Verification

Community Preservation Fund

Dist.

Section

Block

Lot

Consideration Amount \$

0900

104.00

01.00

023.001

CPT Tax Due \$

Improved

Vacant Land

TD

TD

TD

Initials

Town of Southampton

116 Hampton Road

Southampton, New York 11968

5

Title Company Information

Co. Name

Title #

Suffolk County Recording & Endorsement Page

This page forms part of the attached Conditional Offer of Dedication Regarding
Agricultural Reserve Subdivision Map of Ahmet Erdogan made by:
Dedication (SPECIFY TYPE OF INSTRUMENT)

AHMET ERDOGAN

The premises herein is situated in
SUFFOLK COUNTY, NEW YORK.

TO

In the Township of Southampton

TOWN OF SOUTHAMPTON

In the TOWNSHIP

or HAMLET of Bridgehampton

BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(OVER)

**CONDITIONAL OFFER OF DEDICATION
REGARDING AGRICULTURAL RESERVE
ON SUBDIVISION MAP OF AHMET ERTEGUN**

THIS INDENTURE, made on the 27th day of August, 1999, between Ahmet Ertegun, residing at 121 East 81st Street, New York, New York 10028, party of the first part, and the Town of Southampton, a municipal corporation situated in the County of Suffolk and State of New York, having its office at 116 Hampton Road, Southampton, New York, party of the second part.

W I T N E S S E T H:

WHEREAS, the party of the first part is the owner of property situate at Bridgehampton, Town of Southampton, County of Suffolk, and State of New York, Tax Map Number: District 0900, Section 104.00, Block 01.00, and Lot 023.1, and more particularly bounded and described as set forth in Schedule "A" annexed hereto and made a part of this instrument; and

WHEREAS, such property is further shown on Subdivision Map of Ahmet Ertegun, prepared by Young & Young, which map was filed in the office of the Suffolk County Clerk as Map No. 10342, on OCT 18, 1999.

WHEREAS, the party of the first part made application to the Planning Board of the Town of Southampton for final approval of a subdivision plat of said property, and

WHEREAS, the party of the second part has granted its approval to said subdivision conditioned upon the granting of this Conditional Offer of Dedication,

NOW, THEREFORE, in consideration of the sum of One (\$1.00) Dollar, paid by the party of the second part to the party of the first part, receipt of which is hereby acknowledged, and in consideration of the approval of said subdivision plat, the party of the first part hereby irrevocably offers to cede title to the party of the second part in and to the land area designated as "Agricultural Reserve" on said subdivision plat known as Subdivision Map of "Ahmet Ertegun", herein referred to as the Agricultural Easement Area, upon the following terms and conditions:

1. This Conditional Offer of Dedication is irrevocable and shall be binding upon the heirs, executors, administrators, successors and assigns (collectively "successors") of the party of the first part.

2. This Conditional Offer of Dedication is intended for future acceptance and can only be accepted in the event that the party of the first part fails to:

(A) Reasonably maintain, to the "good faith" satisfaction of the Town Board of the Town of Southampton, the Agricultural Easement Area pursuant to the terms of the grant of Agricultural Easement Area between the party of the first part and the party of the second part, dated the 2nd day of SEPTEMBER, 1998, and to be filed in the Office of the Suffolk County Clerk simultaneously with the filing of this document, or

(B) Pay real property taxes when due.

3. In the event that either of the foregoing conditions occur, this Conditional Offer of Dedication may be accepted by a resolution of the Town Board of the Town of Southampton and, upon the adoption of such a resolution, title to said Agricultural Easement Area shall automatically vest in the party of the second part, without necessity of any further indenture of instrument of conveyance.

4. Anything to the contrary herein notwithstanding, this Conditional Offer of Dedication cannot be accepted, in whole or in part, by the party of the second part unless the party of the first part shall have received one hundred eighty (180) days prior written notice of such intention to accept. The party of the second part shall set forth in such written notice detailed reason for its intention to accept this Offer of Dedication. The party of the first part, as aforesaid shall have an opportunity to cure any such defect or to do any action required under the terms of this instrument to the reasonable satisfaction of the party of the second part within said one hundred eighty (180) day period.

5. Notices pursuant to this instrument shall be given by the party of the second part by directly sending said notices by registered mail, return receipt required to the party of the first part at 121 East 81st Street, New York, New York 10028, or if the party is no longer the record owner then to the record owner as that party appears in the records of the Tax Assessor of the Town of Southampton and the Clerk of the County of Suffolk.

6. The term "party of the first part" shall include any parties designated by the party of the first part as a "successor".

7. The restrictions on use of the Agricultural Easement Area, as provided in the grant of Agricultural Easement Area referred to in Section 2(A) above, shall be binding upon the party of the second part and any successors or assigns and shall not be deemed to merge with its ownership of the "Agricultural Easement

as provided herein.

The foregoing covenants, grants, conditions, and easements may be modified upon the written agreement by the party of the first part, its successors and assigns, and by the Town of Southampton, its successors and assigns.

IN WITNESS WHEREOF, the party of the first part has duly executed this indenture the day and year first above written.

Ahmet Ertegün
Mary Jane Asato
AHMET ERTEGUN by Mary Jane Asato his attorney-in-fact

TOWN OF SOUTHAMPTON

By:

Vincent Cannuscio
VINCENT CANNUSCIO

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the 30th day of August, 1999, before me personally came VINCENT CANNUSCIO, to me known, who being duly sworn, did depose and say that he is the Town Supervisor of the Town of Southampton, the municipal corporation described herein and which executed the foregoing agreement; that he knows the seal of said municipal corporation; that said seal was affixed by order of the Town Board of said municipal corporation and that he signed his name thereto by like order.

Wayne D. Bruyn
Notary Public

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

WAYNE D. BRUYN
Notary Public, State of New York
No. 8008450
Qualified in Suffolk County
Commission Expires Feb. 22, ~~1999~~ 2001

On the 13th day of August, 1999, before me the undersigned, ~~a Notary Public in and for said State~~, personally appeared MARY JANE ASATO, as attorney in fact of and for AHMET ERTEGUN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual ~~(s)~~ whose name ~~(s)~~ is ~~(s)~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their capacity ~~(s)~~, and that by ~~his~~/her/~~their~~ signature ~~(s)~~ on the instrument, the individual ~~(s)~~, or the person upon behalf of which the individual ~~(s)~~ acted, executed the instrument.

Alicia F. Osborne
Notary Public

ALICIA F. OSBORNE
Notary Public, State of New York
No. 01088059662, Suffolk County
Term Expires 04/20/00

SCHEDULE "A"

ALL THAT certain plot, piece or parcel of land situate, lying and being at Bridgehampton, Town of Southampton, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Halsey Lane distant 706.00 feet southerly when measured along the westerly side of Halsey Lane from the corner formed by the intersection of the westerly side of Halsey Lane with the southerly side of Paula Lane;

RUNNING THENCE along the westerly line of Halsey Lane, South 20 degrees 28' 20" West, 423.67 feet to lands formerly of Arthur Fahy, now or formerly of Harold and Raymond Toppling;

RUNNING THENCE along said last mentioned lands, North 84 degrees 39' 55" West, 1181.44 feet to lands formerly of William Fahy, and now of John Musnicki;

RUNNING THENCE along said last mentioned lands, North 18 degrees 56' 40" East, 752.10 feet to a concrete monument and lands now or formerly of Zeller;

RUNNING THENCE along said lands of Zeller and along lands now or formerly of Rubenstein, lands now or formerly of Atkins and lands now or formerly of O. Phillip and Gertrude Lynch, South 84 degrees 39' 55" East, 849.38 feet to the concrete monument and other lands now or formerly Musnicki;

RUNNING THENCE Southerly and Easterly along last mentioned lands the following three courses and distances:

1. South 20 degrees 28' 20" West, 352.73 feet;
2. South 84 degrees 39' 55" East, 333.70 feet;
3. Northerly along the arc of a curve bearing to the right having a radius of 25.00 feet a distance of 32.66 feet to the westerly side of Halsey Lane, at the point or place of **BEGINNING**.

13806

119970811

Number of pages

TORRENS

Serial # _____

Certificate # _____

Prior Crt. # _____

RECEIVED

REAL ESTATE

OCT 29 1999

TRANSFER TAX
SUFFOLK
COUNTY

13806

RECORDED

99 OCT 29 AM 10:33

EDWARD P. ROMAINE
CLERK OF
SUFFOLK COUNTY

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamps

4

FEE'S

Page / Filing Fee 15Handling 5TP-584 5

Notation _____

EA-5217 (County) _____

Sub Total 25

EA-5217 (State) _____

R.P.T.S.A. 1500Comm. of Ed 5.00

Affidavit _____

Certified Copy _____

Reg. Copy _____

Other _____

Sub Total 20GRAND TOTAL 45

Mortgage Amt. _____

1. Basic Tax _____

2. Additional Tax _____

Sub Total _____

Spec./Asst. _____

Or _____

Spec./Add. _____

TOT. MTD. TAX _____

Dual Town _____ Dual County _____

Held for Apportionment _____

Transfer Tax 0

Mansion Tax _____

The property covered by this mortgage is or
will be improved by a one or two family
dwelling only.

YES _____ or NO _____

If NO, see appropriate tax clause on page #
_____ of this instrument.

Real Property Tax Service Agency Verification

6 Community Preservation Fund

Dist. Section Block Lot

0900 104.00 01.00 023.001

Consideration Amount \$ 0CPE Tax Due \$ 0

10-27-99

Initial RSSatisfactions/Discharges/Releases List Property Owners Mailing Address
RECORD & RETURN TO:Town of Southampton
116 Hampton Road
Southampton, New York 11968

RECEIVED

\$ 0

OCT 29 1999

COMMUNITY
PRESERVATION
FUND

Improved _____

Vacant Land XTO 09

TO _____

TO _____

8 Title Company Information

Co. Name _____

Title # _____

Suffolk County Recording & Endorsement Page

This page forms part of the attached Declaration of Agricultural Reserve Access Right of Way Easement
made by: (SPECIFY TYPE OF INSTRUMENT)AMET ERTEGUNThe premises herein is situated in
SUFFOLK COUNTY, NEW YORK.

TO

In the Township of SouthamptonIn the ~~Ward~~ Wardor HAMLET of Bridgehampton

BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(OVER)

**DECLARATION OF
AGRICULTURAL RESERVE ACCESS RIGHT OF WAY EASEMENT**

THIS DECLARATION, made on the 3rd day of August, 1999, by Ahmet Ertegun, residing at 121 East 81st Street, New York, New York 10028, hereinafter referred to as the Declarant.

WHEREAS, the Declarant is the owner of property situate at Bridgehampton, Town of Southampton, County of Suffolk, and State of New York, Tax Map Number: District 0900, Section 104.00, Block 01.00, and Lot 023.1, and more particularly bounded and described as set forth in Schedule "A" annexed hereto and made a part of this instrument; and

WHEREAS, such property is further shown on Subdivision Map of Ahmet Ertegun, prepared by Young & Young, which map was filed in the office of the Suffolk County Clerk as Map No. 10349 on Oct 18, 1999.

WHEREAS, the Declarant made application to the Planning Board of the Town of Southampton for final approval of a subdivision plat of said property, and

WHEREAS, the Planning Board of the Town of Southampton has granted its approval to said subdivision conditioned upon the Declarant establishing an Agricultural Reserve Access Right of Way Easement, and

WHEREAS, the Declarant has considered the foregoing and determined that same will be in the best interests of the Declarant and subsequent owners of said parcels.

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That the Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that:

1. Lot Nos. 2 and 4 of the aforesaid subdivision shall hereinafter be subject to a permanent Agricultural Reserve Access Right of Way Easement, as shown and depicted on the subdivision map and more particularly bounded and described as set forth on Schedule "B" annexed hereto and made a part hereof, granted to the owner of the Agricultural Reserve parcel, for the purpose of ingress and egress related to the uses permitted on said Agricultural Reserve.

2. No structures or vegetation shall be placed within the Agricultural Reserve Access Right of Way Easement which would impede the passage of vehicles.

ALICIA F OSBORNE
Notary Public, State of New York
No. 01085059562, Suffolk County
Term Expires 04/20/2011

SCHEDULE "A"

ALL THAT certain plot, piece or parcel of land situate, lying and being at Bridgehampton, Town of Southampton, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Halsey Lane distant 706.00 feet southerly when measured along the westerly side of Halsey Lane from the corner formed by the intersection of the westerly side of Halsey Lane with the southerly side of Paula Lane;

RUNNING THENCE along the westerly line of Halsey Lane, South 20 degrees 28' 20" West, 423.67 feet to lands formerly of Arthur Fahy, now or formerly of Harold and Raymond Topping;

RUNNING THENCE along said last mentioned lands, North 84 degrees 39' 55" West, 1181.44 feet to lands formerly of William Fahy, and now of John Musnicki;

RUNNING THENCE along said last mentioned lands, North 18 degrees 56' 40" East, 752.10 feet to a concrete monument and lands now or formerly of Zeller;

RUNNING THENCE along said lands of Zeller and along lands now or formerly of Rubenstein, lands now or formerly of Atkins and lands now or formerly of G. Phillip and Gertrude Lynch, South 84 degrees 39' 55" East, 849.38 feet to the concrete monument and other lands now or formerly Musnicki;

RUNNING THENCE Southerly and Easterly along last mentioned lands the following three courses and distances:

1. South 20 degrees 28' 20" West, 352.73 feet;
2. South 84 degrees 39' 55" East, 333.70 feet;
3. Northerly along the arc of a curve bearing to the right having a radius of 25.00 feet a distance of 32.66 feet to the westerly side of Halsey Lane, at the point or place of **BEGINNING**.

11997PG811

Schedule "B"
Access to Agricultural Reserve Easement
for the Subdivision Map of Ahmet Ertegun

ALL that certain plot, piece of parcel of land, situate, lying and being at Bridgehampton, in the Town of Southampton, County of Suffolk and State of New York, known and designated as "20' R.O.W.", as shown on a certain map entitled "Ahmet Ertegun", filed in the Office of the Clerk of the County of Suffolk on Oct 18, 1998, as Map No. 10342, more particularly bounded and described as follows:

BEGINNING at a point which point is the following two courses and distances from the corner formed by the intersection of the westerly side of Halsey Lane with the southerly side of Paul's Lane:

1. South 8 degrees 32 minutes 20 seconds west, along the westerly side of Halsey Lane 706 feet; and
2. South 8 degrees 32 minutes 20 seconds west, along the westerly side of Halsey Lane 423.67 feet to a monument;

RUNNING THENCE South 83 degrees 24 minutes 05 seconds west, along lands now or formerly of Harold and Raymond Topping 677.96 feet;

RUNNING THENCE North 08 degrees 32 minutes 20 seconds West, 20 feet;

RUNNING THENCE North 83 degrees 24 minutes 05 seconds East, 677.96 feet;

RUNNING THENCE South 08 degrees 32 minutes 20 seconds West, 20 feet to the point or place of BEGINNING.

11997PC813

Number of pages

TORRENS

Serial # _____

Certificate # _____

Prior Cif. # _____

RECORDED

99 OCT 29 AM 10:33

EDWARD P. ROMAINE
CLERK OF
SUFFOLK COUNTY

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamps

Fees

Page / Filing Fee

Handling

TP-584

Notation

EA-52 (County)

Sub Total

EA-5217 (State)

K.P.T.S.A.

Comm. of Id.

Affidavit

Certified Copy

Reg. Copy

Other

Sub Total

GRAND TOTAL



Mortgage Amt.

1. Basic Tax

2. Additional Tax

Sub Total

Spec./Asst.

Or

Spec./Add.

TOT. MTO. TAX

Dual Town _____ Dual County _____

Field for Apportionment _____

Transfer Tax

Mansion Tax

The property covered by this mortgage is or
will be improved by a one or two family
dwelling only.

YES _____ or NO _____

If NO, see appropriate tax clause on page #
_____ of this instrument.

Real Property Tax Service Agency Verification

Dist.

Section

Block

Lot

Stamp

0900

104.00

01.00

023.004

1027.99

"

"

023.006

Initials

"

"

023.008

6 Community Preservation Fund

Consideration Amount \$ 0

CPI Tax Due

\$ 0

Improved

Vacant Land ☒

TID

TID

TID

7 Satisfaction/Discharges/Releases List Property Owners Mailing Address
RECORD & RETURN TO:Town of Southampton
116 Hampton Road
Southampton, New York 11968

8 Title Company Information

Co. Name

Title #

9 Suffolk County Recording & Endorsement Page

This page forms part of the attached _____ Declaration _____ made by:

(SPECIFY TYPE OF INSTRUMENT)

AHMET ERTEGUN

The premises herein is situated in
SUFFOLK COUNTY, NEW YORK.

TO

In the Township of Southampton

In the ~~XXXXXX~~

or HAMLET of Bridgehampton

BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(OVER)

DECLARATION

THIS DECLARATION, made the 13th day of August, 1999, by AHMET ERTEGUN, residing at 121 East 81st Street, New York, New York 10028, hereinafter referred to as the Declarant.

WHEREAS, the Declarant is the owner of certain real property situate at Bridgehampton, Town of Southampton, County of Suffolk and State of New York, more particularly bounded and described as set forth in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the Declarant has made an application for and has received approval from the Planning Board of the Town of Southampton to subdivide said real property into four (4) lots, as shown on the Subdivision Map of Ahmet Ertegun, prepared by Young & Young, Licensed Land Surveyor, which map was duly filed and recorded in the Office of the Suffolk County Clerk on OCT 18, 1999, as Map File No. 10342, and

WHEREAS, for and in consideration of the granting of said approval, the Planning Board of the Town of Southampton has deemed it to be for the best interests of the Town of Southampton and the owners and prospective owners of said lots that the within covenants and restrictions be imposed on said lots, and as a condition of said approval, said Planning Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, the Declarant has considered the foregoing and determined that the same will be for the best interests of the Declarant and subsequent owners of said lots,

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That the Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the lots within said subdivision map shall hereafter be subject to the covenants and restrictions as herein cited, which shall run with the land and shall be binding upon all purchasers and holders of said lots, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. There shall be no further subdivision of any of the four (4) building lots or the agricultural reserve lot.

2. No lot or lot line shall be modified unless such modification is approved by the Planning Board of the Town of Southampton, or its successor.

3. All utility services, including electrical, cable television and telephone, shall be installed underground and no utility poles shall be erected within any street right-of-way or upon any of the lots.

4. There shall be a common curb cut for lots 1 and 2, with a minimum surface width of twelve (12) feet and a minimum stabilized width of twenty (20) feet, for a minimum distance of twenty-five (25) feet from the street right-of-way, which shall be constructed pursuant to the specifications of the Planning Board of the Town of Southampton for common driveways.

5. All prospective and future owners of lots within the aforesaid subdivision are hereby advised that an Agricultural Reserve exists within and/or adjacent to the subject subdivision. The use of this reserve is restricted to agriculture as provided for in a separate Agricultural Reserve Easement. Prospective and future owners of lots within the subject subdivision are hereby advised of the inherent nature of farming and agricultural

operations that may result in noise, dust and odors.

6. Access to the area designated on the aforesaid subdivision map as "Agricultural Reserve" shall be provided by a right-of-way easement along the southerly property line of lots 2 and 4, recorded and filed in the Suffolk County Clerk's Office. No structures or vegetation which may impede the passage of vehicles may be constructed, installed or placed within the agricultural reserve access right-of-way.

7. Drywells of sufficient size to dissipate roof runoff and/or overflow or drainage of swimming pools shall be incorporated into the building permit plans for lots 1 through 4, inclusive, to help insure that such runoff and/or drainage does not enter the agricultural reserve lot.

8. The covenants and restrictions contained herein shall be construed to be in addition to and not in derogation or limitation upon any local, state or federal laws, ordinances, regulations or provisions in effect at the time of execution of this agreement, or at the time such laws, ordinances, regulations and/or provisions may hereafter be revised, amended or promulgated.

9. The covenants and restrictions contained herein shall be enforceable by the Town of Southampton by injunctive relief or by any other remedy in equity or at law. The failure of the Town of Southampton or any of its agencies to enforce same shall not be deemed to affect the validity of this covenant nor to impose any liability whatsoever upon the Town of Southampton or any officer or employee thereof.

10. If any section, subsection, paragraph, clause, phrase or provision of these covenants and restrictions shall, by a Court of competent jurisdiction, be adjudged illegal, unlawful, invalid or held to be unconstitutional, the same shall not affect the validity of these covenants as a whole or any other part or provision hereof other than the part so adjudged to be illegal, unlawful, invalid or unconstitutional.

11. The within Declaration is made subject to the provisions of all laws required by law or by their provisions to be incorporated herein and they are deemed to be incorporated herein and made a part hereof, as though fully set forth.

12. The within Declaration shall run with the land and shall be binding upon the Declarant, his successors and assigns, and upon all persons or entities claiming under him, and may not be annulled, waived, changed, modified, terminated, revoked or amended

by subsequent owners of the premises unless and until approved by a majority plus one vote of the Planning Board of the Town of Southampton or its successor, following a public hearing.

IN WITNESS WHEREOF, the Declarant above named has executed the foregoing Declaration the day and year first written above.

Ahmet Ertugun
Mary Jane Asato
AHMET ERTUGUN, by Mary Jane Asato
his attorney-in-fact

STATE OF NEW YORK)
COUNTY OF SUFFOLK) SS:

On the 13th day of August, 1999, before me the undersigned, ~~a Notary Public in and for said State~~, personally appeared MARY JANE ASATO, as attorney in fact of and for AHMET ERTUGUN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Alicia F Osborne

Notary Public

ALICIA F OSBORNE
Notary Public, State of New York
No. 01086069662, Suffolk County
Term Expires 04/28/00

SCHEDULE "A"

ALL THAT certain plot, piece or parcel of land situate, lying and being at Bridgehampton, Town of Southampton, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Halsey Lane distant 706.00 feet southerly when measured along the westerly side of Halsey Lane from the corner formed by the intersection of the westerly side of Halsey Lane with the southerly side of Pauls Lane;

RUNNING THENCE along the westerly line of Halsey Lane, South 20 degrees 28' 20" West, 423.67 feet to lands formerly of Arthur Fahy, now or formerly of Harold and Raymond Topping;

RUNNING THENCE along said last mentioned lands, North 84 degrees 39' 55" West, 1181.44 feet to lands formerly of William Fahy, and now of John Musnicki;

RUNNING THENCE along said last mentioned lands, North 18 degrees 56' 40" East, 752.10 feet to a concrete monument and lands now or formerly of Zeller;

RUNNING THENCE along said lands of Zeller and along lands now or formerly of Rubenstein, lands now or formerly of Atkins and lands now or formerly of G. Phillip and Gertrude Lynch, South 84 degrees 39' 55" East, 849.38 feet to the concrete monument and other lands now or formerly Musnicki;

RUNNING THENCE Southerly and Easterly along last mentioned lands the following three courses and distances:

1. South 20 degrees 28' 20" West, 352.73 feet;
2. South 84 degrees 39' 55" East, 333.70 feet;
3. Northerly along the arc of a curve bearing to the right having a radius of 25.00 feet a distance of 32.66 feet to the westerly side of Halsey Lane, at the point or place of **BEGINNING**.

S&P SANITATION
POST OFFICE BOX 939
WATER MILL, NY 11976
PH: 631.726.9500
FAX: 631.726.0234
INFO@SANDPCARTING.COM

MAY 13, 2011

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO SERVE AS CONFIRMATION THAT S&P CARTING WILL PROVIDE WEEKLY MANURE REMOVAL SERVICE FOR KRISTEN AND JOSEPH FARRELL AT 612 HALSEY LANE, BRIDGEHAMPTON. SHOULD YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT OUR COMPANY VIA E-MAIL AT INFO@SANDPCARTING.COM OR PHONE AT 631.726.9500.

THANK YOU.

SINCERELY,

PLANNING BOARD
TOWN OF SOUTHAMPTON

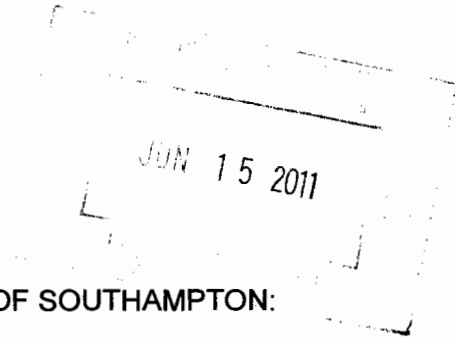
-----X

APPLICATION OF

CAMP FARRELL, LLC

Petitioner

For Site Plan/Special Exception Permit
_____X



TO THE PLANNING BOARD OF THE TOWN OF SOUTHAMPTON:

Petitioner, CAMP FARRELL, LLC, respectfully petitions for site plan and special exception approval of a horse farm pursuant to Article XVII of the Code of Southampton ("The Code") upon the following statements and the documents submitted together with this petition:

1. Petitioner is the owner of premises situate on the westerly side of Halsey Road, 1240 feet south of Pauls Lane, Bridgehampton, Town of Southampton (The "Premises"). The Premises are identified on the Suffolk County Tax Map as: 0900 – 104 – 01 – 023.8.

2. The Premises are located in the R-80 residential zoning district and within the Agricultural Overlay District.

3. The Premises comprise 8.63 acres, set aside as a privately retained "Agricultural Reserve Area" on a certain map entitled, Map of Ahmet Ertegun and filed in the Office of the Clerk of the County of Suffolk on October 18, 1999 as Map No. 10342.

4. Petitioner proposes to construct a horse farm on The Premises, consisting of a 4,410 square foot stabling facility for seven (7) horses, with driveway and parking area with attendant lighting, 2 paddock areas and a riding field, semi-enclosed manure storage area and refuse container, driveway and parking area. The structures

proposed to be constructed are depicted on the site plan prepared by McDonough and Conroy, P. C. dated March 24, 2009 last revised, June 1, 2011.

5. Petitioner proposes to install landscaping in accordance with a landscape plan prepared by David P. McGullam Architect P. C. last dated May 20, 2011.

6. The proposed site plan satisfies the general standards for site plan approval stated in Section 330-122 of the Code as follows:

- a. The proposed horse farm is in harmony with and promotes the general purposes of Chapter 330 of the Code in that it is a permitted use pursuant to the Town's Zoning Code and the Agricultural Easement accepted by the Town of Southampton, and recorded in the Office of the Clerk of the County of Suffolk in Liber 11997 ("Agricultural Easement"). The Premises have been dedicated for farming operations and activities and compatible recreational uses, including horse farming, and the construction of buildings and structures are permitted subject to the review and approval of the Planning Board of the Town of Southampton.
- b. The plot area is sufficient, appropriate and adequate for the horse farm use and the reasonably anticipated operation and expansion thereof.
- c. The proposed use will not prevent the orderly and reasonable use of adjacent properties which consist of other agricultural reserve areas and residential lots within this R-80 zoning district.
- d. The Premises is particularly suitable for the location of such use in the Town as evidenced by other horse farms in the vicinity.

- e. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.
- f. The proposed use conforms to the chapter definition of the special exception use ("horse farm").
- g. Access facilities are adequate for the estimated traffic from public streets as to assure the public safety and to avoid traffic congestion and further that vehicular entrances and exits are clearly visible from the street and not within seventy five (75) feet of the intersection of street lines at a street intersection.
- h. All curb cuts have been approved by the Town of Southampton.
- i. Adequate off-street parking and truck loading spaces is provided for the anticipated number of occupants, both employees and patrons or visitors and the parking layout is convenient and conducive to safe operation.
- j. Adequate buffer yards and screening are provided where necessary to protect adjacent properties and land uses.
- k. Adequate provisions have been made for the collection and disposal of storm water runoff from the site and of sanitary sewage, refuse, or other waste, whether liquid, solid, gaseous, or of other character.
- l. No outdoor sales lot, rental equipment storage or display area is proposed within the required front yard.

j. The proposed use recognizes and complies with further specific conditions and safeguards provided in §330-162.1 as follows:

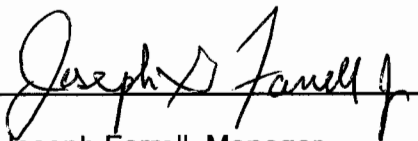
1. Although the Premises comprises 8.63 acres, the general standards set forth in §330-122 are satisfied as the Premises is an existing pastoral or farmland setting that has been preserved in perpetuity and as there are less than ten (10) horses for private use.
2. The design and layout of the proposed horse farm complies with the provisions of §330-162.1(B) and there will be no over-crowding of horses on the Premises.
3. All horses will be kept within an area completely enclosed by an open wood board fence of sufficient height and strength to prevent their escape.
4. No accumulation of manure or any other materials or substance which causes any noxious or offensive odors or dust will occur within one hundred (100) feet of any lot line.
5. The storage of grain will be in such manner so as to prevent the proliferation of rodents or other vermin.
6. The architectural style of the proposed horse stabling facility is consistent with other agricultural buildings in the area and is as compatible as possible with the surrounding neighborhood. Adequate screening is proposed as per the landscape plan prepared by David P. McGullam Architect, P. C. last dated May 20, 2011.

7. The proposed parking area is located beyond fifty (50) feet from any side or rear lot line and beyond one hundred (100) feet from any front lot line and is adequately screened from view from surrounding properties.
8. The use of the proposed horse farm will be limited by §330-162.1(l) and the Agricultural Easement.
9. No holding of horse shows, rodeos or other equestrian spectator events are proposed.
10. No other commercial enterprise, either as a principal or accessory use, is proposed.

WHEREFORE, Petitioner respectfully requests that the Planning Board approve this special exception site plan application.

Dated: June 1, 2011

Camp Farrell, LLC

By: 
Joseph Farrell, Manager

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss.:

1. I am the authorized manager of Camp Farrell, LLC, which is a limited liability company, and am specifically empowered to sign all documentation required in connection with obtaining on behalf of the company all municipal permits for the company property.

It is true to my knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.


JOSEPH FARRELL

Sworn to me before this 1 day of June, 2011

Barclay M Fander
Notary Public

Jaclyn M Fansler
Notary Public, State of New York
No. 01FA6232334
Qualified in Suffolk County
Commission Expires December 6, 2014

Town of Southampton Planning Board
January 12, 2012

**AGENDA ITEM NO. ADD-ON
ADOPTED RESOLUTION
DEEM CONSTRUCTION PERMIT/SPECIAL EXCEPTION APPLICATION COMPLETE
CAMP FARRELL, LLC
HAMLET OF BRIDGEHAMPTON**

WHEREAS, the Construction Permit/Special Exception Application entitled Camp Farrell, LLC was received by the Town of Southampton Planning Board on June 15, 2011 with additional information received;

WHEREAS, the subject project is for the construction of a horse farm on a 8.6-acre parcel located on an agricultural reserve as part of the Map of Ahmet Ertegun on Halsey Lane in the R-80 Zoning District (SCTM No. 900-104-1-23.8);

WHEREAS, because the property is for an agricultural use, the project meets the criteria for classification as a Type II action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and pursuant to Chapter 157 (Environmental Quality Review) of the Southampton Town Code, and therefore no further environmental review is required;

WHEREAS, the applicant has submitted all necessary materials to fulfill the application submission requirements of §330-183 of the Southampton Town Code; now, therefore

BE IT HEREBY RESOLVED, the Planning Board deems the Construction Permit/Special Exception Application of Camp Farrell, LLC complete, and a public hearing is hereby scheduled for 7:00 p.m. at the Southampton Town Hall, on February 9, 2012.

Town of Southampton Planning Board
Dennis Finnerty, Chair
January 12, 2012

MOTION

Moved by: Ms. Lofaro

Seconded by: Mr. Skidmore

VOTE

In favor: 5 In opposition: 0 Absent: Mr. Finnerty, Mr. Zuccarelli

Planning Division Contact: Clare S. Vail, AICP, Principal Planner

To: Bruce Anderson